

A bill for an act

relating to civil actions; modifying civil liability for labor and sex trafficking crimes; proposing coding for new law in Minnesota Statutes, chapter 299A; repealing Minnesota Statutes 2008, section 609.284, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[299A.794] HUMAN TRAFFICKING; CIVIL LIABILITY.**

(a) A trafficking victim may bring a cause of action against a person who violates section 609.282, 609.283, or 609.322. The court may award damages, including punitive damages, reasonable attorney fees, and other reasonable litigation costs. A victim who prevails in an action brought under this section is entitled to a minimum of \$20,000 in damages, regardless of the amount of actual damages proved, plus costs, disbursements, punitive damages, and reasonable attorney fees. No criminal action needs to be filed or pending arising out of the same occurrence in order for damages under this section to be assessed.

(b) An action for damages under paragraph (a) must be commenced not later than six years after the cause of action arises or not later than one year from the date the trafficking victim bringing the action is free from human traffickers.

(c) For the purposes of this section, "person" means an individual, partnership, organization, company, association, or corporation.

EFFECTIVE DATE. This section is effective August 1, 2009, and applies to causes of action arising on or after that date.

Sec. 2. **REPEALER.**

Minnesota Statutes 2008, section 609.284, subdivision 2, is repealed.

2.1 **EFFECTIVE DATE.** This section is effective August 1, 2009.

APPENDIX
Repealed Minnesota Statutes: 09-0705

609.284 LABOR OR SEX TRAFFICKING CRIMES; DEFENSES; CIVIL LIABILITY; CORPORATE LIABILITY.

Subd. 2. **Civil liability.** A labor trafficking victim may bring a cause of action against a person who violates section 609.282 or 609.283. The court may award damages, including punitive damages, reasonable attorney fees, and other litigation costs reasonably incurred by the victim. This remedy is in addition to potential criminal liability.